



Lamoine Board of Selectmen Minutes of May 25, 2006

Chair Jo Cooper called the meeting to order at 7:00 PM

Present were: Selectmen Cynthia Donaldson, Brett Jones, Josephine Cooper, Richard Fennelly Jr., Perry Fowler; Administrative Assistant Stu Marckoon, Parks Commission Chair Christa Brey, Asst. Town Clerk Kathleen DeFusco, members of the public Ronald Simons, Robert Alvarez, Sylvanus & Carrie Tracy, John & Susan Wuorinen, and CTV Technician Chris Bowman.

Agenda Review – Cynthia said she would like to make some comments in regard to the readiness program at the end of the meeting. Stu said he had several items he wished to note at the end which didn't necessarily require action.

May 16, 2006 Minutes – Stu noted there was one correction in the name of a subcommittee member to review the CEO hours which he will make. Jo moved to approve the minutes as corrected. Richard 2nd. **Vote in favor was 4-0, Fowler abstained.**

Meeting with Ronald Simons – Stu said the Board had received a letter from the Code Enforcement Officer stating that Mr. Simons was in compliance with the consent agreement, and he had drafted a letter for the Selectmen to sign. Mr. Simons asked if he was off the hook. Brett said he agrees that Mr. Simons is in compliance with the agreement with the town. Jo said for this item, Mr. Simons is off the hook. Perry moved to sign the letter. Jo read a portion of the letter. Richard 2nd. **Vote in favor was 5-0.**

Mr. Simons said his septic design does not have to go to the state for approval as it is not a cluster system. Selectmen signed the letter to Mr. Simons.

Parks Commission/Boat Ramp – Parks Commission Chair Christa Brey said the commission would like to start some research on improvements to the boat ramp at Lamoine Beach, finding which would be better – replacement or repair. She said she doesn't want this to be just a park commission project, but to involve multiple committees with more people involved. She said the Long Range Planning and Conservation Commission should be involved. Brett asked in what capacity the other committees would be involved. Mrs. Brey said they're looking for different ideas on its uses. She asked if the commission could go ahead and start doing research. She said once they had more information they would return and tell the Selectmen what they've found. Jo said in the past the town has sought money to repair the ramp through a state grant. Stu said initially the town asked for engineering funds from the state. Brett asked

how the Parks Commission would contact other boards. Mrs. Brey said they meet on June 5th and will discuss that matter and get e-mail out to other boards through Stu.

Tree Debris Removal – Stu said he got another bid from Harald Huebner after clarifying what was anticipated by the project. Jo opened and read the proposal from Mr. Huebner and said it was for \$4,000. The Selectmen discussed encumbering the budget from this year's budget for tree removal and carrying it forward to FY 2007 to cover the costs. Jo moved to accept Mr. Huebner's proposal. There was a brief discussion on removal of some big trees. Stu said that would not be covered by this proposal but he would pursue that with Mr. Huebner. Perry 2nd. **Vote in favor was 5-0.**

Roads/MDOT Assistance – Stu said the visit from Phil Curtis of MDOT was very helpful. He said the biggest need for the town roads is to scrape the winter sand buildup from the shoulders so water can get into the ditches. He said that really needs to be done on Seal Point Road before the paving project. He said Raccoon Cove Road was also recommended as the road is in very good shape now and should be kept up.

Jo said the question is deciding who should do this. Perry said it should be bid. Stu said he would prepare a bid package. Jo asked about a flyer that was included with the packet. Stu said it came in the mail around the same time. Jo suggested the advertiser be included in the bid list. Jo asked about the cost. Stu said he expected it would be several thousand dollars. A short discussion followed on the benefits of ditching and shoulder work. Stu said the next meeting is not until June 15th and with permission of the board he would put out specs and have them ready by the 15th. There was no objection. A short discussion followed on the paving schedule.

Bob Alvarez said the Seal Point Road is in pretty good shape except for the hill. He said paving over the hill will only cause the pavement to collapse again. Stu said the consultant from MDOT suggested that another layer of pavement would make the hill stronger. He said the 2nd layer should have been added when it was rebuilt and it never was.

Brett asked about the paving contract. Stu said it only includes the activity involved with the paving itself – i.e. sweeping, paving, trucking and flagging. A short discussion followed on paving methods. Mr. Alvarez suggested that another cross culvert above the David woods road might help. A short discussion followed.

Jo said the Board would see what we come up with for bids. She said Stu is authorized to go out to bid on the work needed. She noted a couple of road signs also need replacing. Stu said he would take care of that.

Request to obtain rhododendron from Anderson lot – Sylvanus Tracy Jr. said he'd like to obtain the plant that is currently at the Anderson lot, either for free or he'd be willing to pay \$10.00 for it. Cynthia said she found it interesting that people are purchasing items from the lot in small pieces. Brett asked if the policy is to sell things to the first person to approach the Board and take the initiative to purchase things. Perry

said he had no problem with Mr. Tracy getting the plant, but there ought to be some sort of plan. Jo said she thought that sounded OK, and was glad Mr. Tracy asked permission first and said to Mr. Tracy to help himself to the Rhododendron. Cynthia asked if the town would be giving away the maple trees. Perry moved to not sell any other assets of the property unless the Selectmen request bids or proposals for sales. A short discussion followed. Richard 2nd. **Vote in favor was 5-0.**

Personnel Appointments – Stu said everyone whose appointments expire at the end of June indicated they would be willing to be reappointed. There was a short discussion about a vacancy on the Planning Board. Cynthia said Jim Gallagher is interested. Jo said the Board should advertise to see who's interested.

Brett asked about the Deputy Code Enforcement Officer position. Stu said Dennis was appointed to that when John Holdsworth was the CEO to perform some work that Mr. Holdsworth was unable to do. The board discussed whether a Deputy Code Enforcement Officer should be appointed. Mr. Alvarez said the town needs a Deputy Plumbing Inspector and Stu should be appointed the deputy CEO. Jo said the Board should talk with Dennis about it. Stu said if the Board desires a deputy CEO it should be advertised, as others might be interested in the position.

Cynthia said she would like to discuss how to handle the June 22nd meeting and contract renewals and performance evaluations. She said the Board didn't have any protocol last year about evaluations. She said she remembered that last year the Board was meeting with people about their contracts and the Board asked Stu to be here as their supervisor, and Stu said he was not their supervisor. She asked if the Board wanted to proceed with meeting with just the individual employee this year or have Stu present. Brett said Stu's input is really important, as he's a central point of contact. He said he would like to ask for Stu's input.

Kathy DeFusco asked the Board to clarify who's input they are looking for – the employee's or Stu's? Jo said the job performance review should have input from everyone, including the person being reviewed. Cynthia and Jo discussed whether a self review ought to take place. Cynthia said she would like to know beforehand what's going to take place. She asked if a job performance evaluation from Stu is given to the Selectmen ahead of time. Stu said he doesn't do the evaluations, because he's not the employee supervisor. He said his job description does not include supervision. He said the Selectmen might want to change his job description, which would make him more like a town manager than an administrative assistant. He said he wouldn't mind being in a supervisory capacity, but it's a major change of role. He said he might be better qualified than the Selectmen to evaluate employees because he sees them every day. Cynthia said it seems Stu does a lot of the supervisory things already, such as keeping track of hours, and answering questions. Stu said no supervisory authority is in his job description. Jo said that's a different discussion. Perry said the Selectmen meet with the employee and fill out the review.

Jo said the Board would have a discussion with the person and afterward fill out the evaluation. Stu said he's not sure that's a great way to do it. Jo said she had always filled them out in advance and they were given to the person at the meeting. She said the question about supervision and Stu's role is a big discussion.

Cynthia said she understands the Board will be given forms for each person they're meeting with. She said Stu should sit in on the review as he's around the people the most. Kathy DeFusco said she'd like to have the evaluation ahead of time so she could discuss it with the Selectmen. Richard asked if it would make sense to have a workshop to do that to go over job performance. Mr. Alvarez said he always had to sign his performance evaluations when he worked. Richard said the Selectmen need the evaluations ahead of time so they can give them out to the employees. Cynthia said she'd like to have a workshop to fill out the forms. She said she would like to see a self evaluation from the employee as well. It was agreed to hold the workshop at the end of the June 15th meeting at the Town Hall.

Expenditure Warrant 24 – Selectmen signed expenditure warrant 24 for \$40,120.86. A short discussion followed about the status of a fire officer who lives out of town.

Cash & Budget Report – Stu noted that revenue collections now exceed 100-percent of budget.

Checking Account Review – Selectmen signed the document stating satisfaction with the review of the Checking Account Reconciliation.

Other – TABOR – There was a brief discussion about the pending vote on the Taxpayer Bill of Rights and its potential impact on the town and the town meeting process.

High School Readiness – Cynthia said a resolve at the last meeting to encourage readiness at the high school level got put aside. She said she wanted to say that readiness does not begin in high school and would like to see Lamoine commit for quality day care and safe places for young kids. Richard said he thinks everyone supports that now, and just because the Selectmen say it, does it really make a difference. Cynthia said it's easy for little kids to get lost in the shuffle. A short discussion followed. Jo said a statement can have an impact on future decisions. Brett said something more tangible might be more appropriate to act upon.

Landfill Monitoring – Stu said the report on monitoring wells around the landfill had come in, and there didn't seem to be anything unusual this year.

Universal Waste Sign – Stu said Jeremiah Graham had obtained a sign promoting required recycling of Universal Waste. He said his fear was that if it's posted, people would get the idea that Lamoine accepts it, which we don't. He said he checked with Coastal Recycling and they're willing to take in Lamoine's waste (user's pay for it). He said he would like to get a supplemental sign to put under the big sign to have people take

it to Coastal Recycling. Selectmen asked if there was any other facility. Stu said not that he's aware of around here.

Request of Herrick & Salsbury re: town owned land boundary – Stu said town attorney Tony Beardsley did some work on land listed as being town owned many years ago, but nothing had come of it. He said he got an e-mail from Steve Salsbury asking if anything had been done. Stu asked if he should contact Tony Beardsley about it. Richard said getting a boundary agreement would be the easiest way to fix the questions. He moved to ask Stu to talk with Tony about how to do a boundary resolution. Cynthia said that might make a good place for a memorial. Perry 2nd. **Vote in favor was 5-0.**

Draft of Policies – Stu said he'd drafted policies following discussion at the workshop with the Planning Board and gave them to Selectmen for review earlier in the evening. He said it included a flow chart on complaints, town attorney use, and requiring complaints to the Code Enforcement Officer to be in writing. Richard submitted a couple of grammar changes to the Town Attorney policy.

Gravel Inventory – Susan Wuorinen supplied the Board with an index and sample of aerial photographs she had obtained from the Sewall company from a 2001 flyover. She said she wanted to make it available to the town. Richard said the issue previously discussed was identifying control points from the 1973 photos in the pit area. Brett said the 2001 photos would have some fixed point datum to compare to now. Mr. Alvarez said another reference point would be posts at the old dump road which haven't changed in 30-years. He said the letter from the Sewall company said they could use 1:5 contours from the 1973 photos. A short discussion followed.

Richard said finding out what has been removed since 2001 would require a new flight. Mrs. Wuorinen said the cost of their flight was \$1,700. Mr. Alvarez said there is a letter from Steve Salsbury dated May, 2001 that refers to some violation, and that means Mr. Salsbury has some information from back then. Mr. Alvarez said Mr. Salsbury should supply a certified statement as to what's been removed.

Mr. Alvarez said he was incorrect on the estimated value of the remaining value. He said the actual value of 10-feet of gravel on 12-acres would be about \$290,000. He said he accompanied an engineer to the site and gave a report to the Selectmen. A short discussion on the gravel value followed.

Mr. Wuorinen asked the Selectmen if checking on the report from Salsbury would be considered being a good custodian of town assets. Richard said yes, but the accounting has not been submitted yet. Brett said most of the Board members have come in after the fact. He said it should be presumed that Mr. Salsbury is a certified professional and his report would be on the up and up. Mr. Wuorinen again asked the Selectmen if they are being good custodians if they accept the report without another set of data to confirm or deny it. A short philosophical discussion ensued, along with a discussion of surveying methods and arithmetic mistakes. Richard said he has an interest in surveying, but not everyone on the board has training in that field.

Brett asked Mr. Wuorinen if he was suggesting that the board go ahead and do an aerial survey, regardless of the information from the surveyor. Mr. Wuorinen said that is what he is suggesting. Richard said the Board needs to be careful. He said if it costs \$5,000, do we risk spending money if the final reckoning is around that cost. He said if it looks like a huge discrepancy it might make sense to spend the money. He said he has every interest in the town getting the value due it for the gravel removed from the property.

Jo said that requires some expertise, and asked if it's always incumbent to spend a lot of money to check up on stuff. She said the Board has a responsibility to listen to concerns. She said it has to determine if the cost of an aerial survey is worth it. Brett said there were no controls in the contract, and he would support hiring a surveyor on behalf of the town in the future. Perry said it sounds like there has been an assumption that the report from the surveyor would be intentionally low. He asked if it's wrong the other way, would the town send Mr. Gott a check. He said there is some judgment involved.

Mr. Alvarez said he wouldn't be barking at the board if only 5,000 yards was missing. He said he thinks it's a substantial amount. He said he's looking forward to see what Salsbury comes up with and a Sewall company survey. He said Mr. Salsbury shows deed references on the plans. He said the town bought the lot from Maude Googins, and got 40 acres, and it now shows 27 acres. He said there is no explanation where the 13-acres have gone. Stu said the tax records show 39-acres, and produced the tax record book to back that up.

Next Meeting – The Board will meet next on June 15, 2006 at 6:30 PM at the Lamoine School, recess for the special town meeting, resume the meeting, then adjourn to the Town Office to discuss the employee evaluation process in a workshop session.

There being no further business, the meeting adjourned at 9:00 PM

Respectfully submitted,

Stu Marckoon, Adm. Asst.